

Docket No. GJH-0006**CORRECTION OF PATENTS****TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**In re Application of: **Kenneth L. Riley, et al.**Application No.: **09/869,985**Filed: **January 14, 2000**For: **PRODUCTION OF LOW SULFUR/LOW NITROGEN HYDROCRACKATES**

The owner*, ExxonMobil Research & Engineering Company (formerly Exxon Research & Engineering Co.), of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,162,350. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

24 October 2003
Date

Gerard J. Hughes
Signature

Gerard J. Hughes, Counsel
Typed or printed name and title if applicable

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

- ☒ Charge \$110.00 Deposit Account No. 05-1330.

* Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Docket No: GJH-0006**CORRECTION OF PATENTS****TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A COPENDING APPLICATION(S)**

In re Application of: **Kenneth L. Riley, et al.**
Application No.: **09/869,985**
Filed: **January 14, 2000**
For: **PRODUCTION OF LOW SULFUR/LOW NITROGEN HYDROCRACKATES**

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Petitioner, ExxonMobil Research and Engineering Company (formerly Exxon Research & Engineering Co.), is the owner of 100% interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patents granted on copending application serial number(s) 09/869,983 and 09/869,988. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents granted on copending applications serial number(s) 09/869,983 and 09/869,988 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patents granted on copending application serial number(s) 09/869,983 and 09/869,988, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

24 October 2003
Date

Gerard J. Hughes
Signature

Gerard J. Hughes - Counsel
Typed or printed name and title if applicable

☒ Charge \$ 220.00 to Deposit Account No. 05-1330.

☒ PTO suggested wording for terminal disclaimer was

☐ unchanged

☒ changed (if changed, an explanation should be supplied).*

* Terminal disclaimer fee under 37 CFR 1.20(d) is to be charged to our deposit account.
Wording changed to reflect provisional rejection over copending applications.

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